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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 BRETT DOYLE,

Case No. 3:19-cv-00725-MMD-CSD

12 Plaintiff,

13 vs.

14 STATE OF NEVADA, et al.,

15 Defendants.
**ORDER GRANTING
MOTION FOR EXTENSION OF
TIME TO FILE PROPOSED
JOINT PRETRIAL ORDER
[DEFENDANTS' FIRST
REQUEST]**

16 Defendants, Renee Baker, Scott Davis and Harold Wickham, by and through
17 counsel, Aaron D. Ford, Attorney General of the State of Nevada, and William P. Shogren,
18 Deputy Attorney General, hereby request this Court grant a 45-day extension of time to
19 file the proposed joint pretrial order. This is Defendants' first request for an extension.

20 **MEMORANDUM OF POINTS AND AUTHORITIES**

21 **I. RELEVANT FACTS AND PROCEDURAL HISTORY**

22 This is a pro se prisoner civil rights action brought by inmate Plaintiff Brett Doyle
23 (Doyle), concerning events that allegedly took place at the Lovelock Correctional Center,
24 asserting claims arising under 42 U.S.C. § 1983.

25 The parties attended an unsuccessful Settlement Conference on January 4, 2023. ECF
26 No. 58. This Court ordered that a proposed joint pretrial order be filed by February 3, 2023.
27 *Id.* Defendants later filed a Notice of Change of Deputy Attorney General, notifying the Court
28 and respective parties that Undersigned Counsel had assumed responsibility for representing

1 Defendants in this action as of January 12, 2023. ECF No. 59 at 1. This Notice also stated
2 that the previous Deputy Attorney General was no longer responsible for handling the case.

3 *Id.*

4 **II. ARGUMENT**

5 As this Court is aware, Local Rule 16-3 requires:

6 Upon the initiative of a pro se plaintiff or plaintiff's attorney, the
7 attorneys or parties who will try the case and who are authorized
8 to make binding stipulations must personally discuss settlement
9 and prepare and file a proposed joint pretrial order containing
10 the following...

11 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
12 follows:

13 When an act may or must be done within a specified time, the
14 court may, for good cause, extend the time: (A) with or without
15 motion or notice if the court acts, or if a request is made, before
16 the original time or its extension expires; or (B) on motion made
17 after the time has expired if the party failed to act because of
18 excusable neglect.

19 Good cause exists to extend the filing deadline. Defendants have not received any
20 communication from the pro se plaintiff, Doyle, regarding the proposed joint pretrial order,
21 as required by Local Rule 16-3. Defendants anticipate drafting a proposed joint pretrial
22 order for Doyle's review and input. However, Undersigned Counsel only recently assumed
23 responsibility for this case on January 12, 2023. Undersigned Counsel requires additional
24 time to familiarize himself with this case and draft a proposed joint pretrial order. Out of
25 an abundance of caution, Defendants request a forty-five (45) day extension of time to allow
26 the parties to file the proposed joint pretrial order, from **February 3, 2023 to March 20,**
27 **2023.** This will allow Undersigned Counsel to draft the proposed joint pretrial order and

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1 have it mailed to Doyle for his review and input. This extension will also allow for the
2 parties to meet and confer if necessary.

3 Furthermore, this request will not hinder or prejudice Doyle's case, as the trial date
4 has not been set nor is it imminent.

5 **II. CONCLUSION**

6 Defendants assert that the requisite good cause and extenuating circumstance is
7 present to warrant the requested extension of time. Out of an abundance of caution, and to
8 avoid asking for another extension of time, Defendants request this Court to extend the
9 deadline from February 3, 2023 to March 20, 2023, to file the proposed joint pretrial order.

10 DATED this 18th day of January, 2023.

11 AARON D. FORD
12 Attorney General

13 By: 
14 WILLIAM P. SHOGREN, Bar No. 14619
Deputy Attorney General

15 *Attorneys for Defendants*

17 IT IS SO ORDERED.

18 DATED: January 20, 2023.

19 
20 UNITED STATES MAGISTRATE JUDGE